

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DANIEL DWAYNE ASHWELL LAW,

Plaintiff,

v.

STATE OF WASHINGTON,

Defendant.

CASE NO. 2:25-cv-00586-JHC

ORDER DISMISSING CASE AS
DUPLICATIVE OF 2:25-CV-00584-
JHC

On April 2, 2025, Plaintiff filed duplicative lawsuits. Plaintiff's first complaint, against the University of Washington and "Dr. Mat Williams," alleges "Malicious torture by mafia, homosexual reprogramming" and "Manchurian torture through psychic driving." Plaintiff avers the amount in controversy is "1.8 bil" dollars and as relief requests "Records of life absolved and remantled." *See* 2:25-cv-00584-JHC. His second, and present complaint, is against the State of Washington and makes the same claim and seeks the same relief.

A plaintiff generally has no right to maintain two separate actions involving the same subject matter at the same time in the same court and against the same defendant. *Adams v. Cal. Dep't of Health Servs.*, 487 F.3d 684, 688 (9th Cir. 2007), overruled on other grounds by *Taylor v. Sturgell*, 553 U.S. 880, 904 (2008). To determine if a second action is duplicative of the first, the Court examines if the causes of action, relief sought, and parties to both actions are the


1 same.” *Adams*, 487 F.3d at 689. This examination involves assessing whether (1) the rights or
2 interests established in the prior judgment would be impaired by prosecution of the second
3 action; (2) substantially the same evidence is presented in the two actions; (3) whether the two
4 suits involve infringement of the same right; and (4) whether the two suits arise out of the same
5 transactional nucleus of facts. *Adams*, 487 F.3d at 689. The last criterion—whether the two suits
6 arise out of the same transaction nucleus of facts—is the most important. *Id.*

7 After weighing the equities of the cases, the district court has the discretion to dismiss a
8 duplicative later-filed action or consolidate both actions. *Id.* at 688. Here, Plaintiff sues in his
9 first complaint a doctor ostensibly working for the University of Washington and the University
10 itself. Suits against state officials or agencies that acted in their official capacity are “no different
11 from a suit against the State itself.” *Flint v. Dennison*, 488 F.3d 816, 824-825 (9th Cir. 2007).
12 Additionally, a state, such as Washington, is generally immune from suit under the Eleventh
13 Amendment. *See Will v. Mich. Dep’t of State Police*, 491 U.S. 58, 69 (1989) (Congress did not
14 override the State’s Eleventh Amendment immunity in § 1983 actions). The Court finds
15 Plaintiff’s second and present complaint is duplicative of his first and accordingly ORDERS:

16 1. This case is DISMISSED, and Plaintiff application to proceed *in forma pauperis*
17 is STRICKEN as moot.

18 2. The Clerk shall provide Plaintiff a copy of this Order.

19 DATED this 4th day of April, 2025.

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21 
22 JOHN H. CHUN
23 United States District Judge